

# UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED  
RICHARD W. HAGEL  
CLERK OF COURT

2019 APR 12 AM 11:13

## In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)

Priority Mail Package Tracking Number 9405 5368 9784 6777 5802 86,  
postmarked April 8, 2019, weighing 1 pounds 15.5 ounces addressed to  
LOGAN T. GARMAN 612 S WALNUT STREET TROY OH 45373-3541,  
with a return address of THE SCENE ARCATA 2383 SHERRI CT ARCATA  
CA 95521.

Case No.

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
3:19 mj 209

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Package Tracking Number 9405 5368 9784 6777 5802 86

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Possession with intent to distribute a controlled substance
	Use of communication facility to commit a felony
	Conspiracy to distribute a controlled substance

The application is based on these facts:

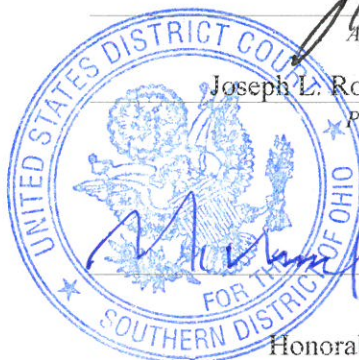
See attached affidavit of U.S. Postal Inspector Rossiter

- ☒ Continued on the attached sheet.
- ☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: 4/12/19

City and state: Dayton, Ohio



Applicant's signature

Joseph L. Rossiter, U. S. Postal Inspector  
Printed name and title

Judge's signature

Honorable Michael J. Newman  
United States Magistrate Judge  
Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                     )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, JOSEPH ROSSITER, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the use of the United States Mail in the transportation of narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations and successful controlled-substance prosecutions involving the use of the United States Mail, I have learned of certain characteristics and/or circumstances indicating that a package may contain Drugs and/or Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors are emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On April 11, 2019, I intercepted a package (hereinafter, the "Package") at the Troy Post Office in Troy, OH. The Package is a Priority Mail Medium Flat Rate Box, bearing tracking number 9405 5368 9784 6777 5802 86, weighing 1 pound 15.5 ounces, postmarked April 8, 2019, with the following address information:

**Sender:** THE SCENE ARCATA  
2383 SHERRI CT  
ARCATA CA 95521

**Addressee:** LOGAN T. GARMAN  
612 S WALNUT STREET  
TROY OH 45373-3541

Through training and experience, I am aware that Northern California is a known drug source location.

I did a check in CLEAR of the addressee's information on the Package of LOGAN T. GARMAN 612 S WALNUT STREET TROY OH 45373-3541. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR, there is a "Logan Garman" associated with 612 S Walnut St, Troy, OH 45373. Also according to CLEAR Logan Garman has a criminal history which includes possession of a controlled substance.

I also did a check in CLEAR of the sender's information on the Package of THE SCENE ARCATA 2383 SHERRI CT ARCATA CA 95521. According to CLEAR, there is no business "The Scene Arcata" or any business associated with 2383 Sherri Ct, Arcata, CA 95521

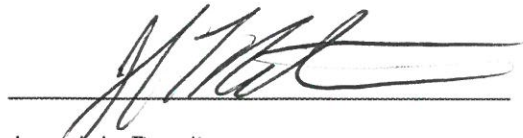
Later on April 11, 2019, at my request, Montgomery County Sheriff's Office Detective Anthony Hutson conducted a narcotics-detection canine check of the Package. I was present for the check. The Package was placed in a controlled area and presented to narcotics-detection canine, "Gunner." As set forth in the attached affidavit of Detective Hutson, "Gunner" alerted positively to the presence or odor of a narcotic or other controlled substance.

Based on my training and experience as a United States Postal Inspector, the foregoing circumstances – including (i) no relation of the business or any business associated with the return address, and (ii) the positive alert of the narcotics-detection canine are indicative of Drugs and/or Proceeds in the Package.



Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.

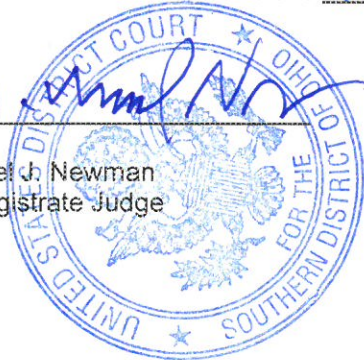


Joseph L. Rossiter  
Postal Inspector

Subscribed and sworn to and before me this 12<sup>th</sup> day of April, 2019.



Honorable Michael J. Newman  
United States Magistrate Judge





UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer ANTHONY HUTSON, am and have been employed by the MONTGOMERY COUNTY SHERIFF'S OFFICE since 1998. Among other duties, I am currently the assigned handler of narcotics detection canine "GUNNER" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 4.11.19, at the request of Postal Inspector ROSSITER, I responded to the DAYTON P&DC, where "GUNNER" did alert to and indicate upon: [describe item]

9405 5368 9784 6777 5302 86  
FROM: THE SCENE ARCATTA TO: LOGAN T. GARMAN  
2383 SHERRI CT 612 WALNUT STREET  
ARCATA CA 95521 TROY OH 45373-3541

Which, based upon my training and experience and that of "GUNNER", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 101  
(Signature, Badge #, and Date)

[Signature] 4/11/19  
(Witness/Date)